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chemist or the authorized person before the work is started. Such qualifications shall include any requirements as may be deemed necessary to maintain, insofar as can reasonably be done, the safe conditions in the spaces certified, throughout the operation and shall include such additional tests and certifications as considered required. Such qualifications and requirements shall include precautions necessary to eliminate or minimize hazards that may be present from protective coatings or residues from cargoes.

(2) When not in such a port or place, and a marine chemist or such person authorized by the Officer in Charge, Marine Inspection, is not reasonably available, the inspection shall be made by the senior officer present and a proper entry shall be made in the vessel's logbook.

(d) It shall be the responsibility of the senior officer present to secure copies of certificates issued by the certified marine chemist or such person authorized by the Officer in Charge, Marine Inspection. It shall be the responsibility of the senior officer present, insofar as the persons under his control are concerned, to maintain a safe condition on the vessel by full observance of all qualifications and requirements listed by the marine chemist in the certificate.

[CGFR 65-50, 30 FR 16704, Dec. 30, 1965, as amended by CGD 95-072, 60 FR 50462, Sept. 29, 1995]

§ 35.01-2 Preemptive effect.

The regulations in this part have preemptive effect over State or local regulations in the same field.

[USCG-2006-24797, 77 FR 33874, June 7, 2012]

§ 35.01-3 Incorporation by reference.

(a) Certain materials are incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a). To enforce any edition other than the one listed in paragraph (b) of this section, notice of the change must be published in the FEDERAL REGISTER and the material made available to the public. All approved material is on file at the U.S. Coast Guard, Office of Operating and Environmental Stand-

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ards, (CG-OES), 2100 2nd St. SW., Stop 7126, Washington, DC 20593-7126, and is available from the address indicated in paragraph (b), or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(b) The material approved for incorporation by reference in this part, and the sections affected is:

American Society for Testing and Materials

100 Barr Harbor Drive, West Conshohocken, PA 19428-2959

ASTM F 1014-92 Standard Specification for Flashlights on Vessels.

Section affected—35.30-20(c)(3)

ASTM Adjunct F 1626, Symbols for Use in Accordance with Regulation II-2/20 of the 1974 SOLAS Convention, PCN 12-616260-01, © 1996-35.10-3

ASTM D 93-97, Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester—35.25-10

International Maritime Organization (IMO) Publications Section, 4 Albert Embankment, London, SE1 7SR United Kingdom. Resolution A.654(16), Graphical Symbols for Fire Control Plans—35.10-3

NOTE: All other documents referenced in this part are still in effect.

[CGD 82-042, 53 FR 17704, May 18, 1988, as amended by CGD 96-041, 61 FR 50727, Sept. 27, 1996; CGD 97-057, 62 FR 51043, Sept. 30, 1997; CDG 95-028, 62 FR 51199, Sept. 30, 1997; USCG-1999-5151, 64 FR 67177, Dec. 1, 1999; USCG-2009-0702, 74 FR 49227, Sept. 25, 2009]

§ 35.01-5 Sanitary condition and crew quarters—T/ALL.

It shall be the duty of the master and chief engineer of every tankship to see that such vessel and crew's quarters are kept in a sanitary condition.

[CGFR 65-50, 30 FR 16704, Dec. 30, 1965, as amended by CGD 95-027, 61 FR 25999, May 23, 1996]

§ 35.01-10 Shipping papers—TB/ALL.

Each loaded tank vessel shall have on board a bill of lading, manifest, or shipping document giving the name of the consignee and the location of the delivery point, the kind, grades, and approximate quantity of each kind and grade of cargo, and for whose account the

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cargo is being handled. The tank vessel shall not be delayed in order to secure exact quantities of cargo. Such manifests or bills of lading may be made out by the master, master of the towing vessel, owner, or agent of the owner: *Provided, however,* That in the case of unmanned barges where shipping papers are not available, an entry in the logbook of the towing vessel giving the name of the shipper and location of shipping point, the name of the consignee and location of delivery point, the approximate kind, grade, and quantity of cargo in each barge of the tow, and for whose account the cargo is being handled, shall be considered as complying with the requirements of this section.

§ 35.01-15 Carriage of persons other than crew—TB/ALL.

No person not connected with the operation of a tank ship or tank barge or not having legitimate business with said vessel, shall be permitted aboard while vessel is under way unless specifically allowed by its certificate.

§ 35.01-25 Sacrificial anode installations—TB/ALL.

(a) The installation of magnesium sacrificial anodes in cargo tanks utilized for the carriage of flammable or combustible liquids in bulk is prohibited.

(b) A sacrificial anode using an aluminum alloy will be permitted in cargo tanks under the following criteria:

(1) The maximum allowable energy that can be developed by a falling anode shall be 200 foot-pounds.

(2) No anode shall be installed more than 6 feet above the bottom of the tank. Special consideration will be given when structural design prevents the anodes from falling in event of failure of the attachments.

(3) Each anode shall have at least two welded or bolted connections to the supporting structure. Special consideration will be given to proprietary attachments which provide equally safe installations.

(4) The plans of the anode installation and a chemical analysis of the alloy composition shall be submitted for approval. The anode should be mag-

nesium free and the silicon content limited to trace amounts.

(5) The recommended construction of the anode should utilize a mild steel core with necessary attachments. Other types may be used but will require special consideration.

(c) Sacrificial anodes using materials other than those having aluminum and/or magnesium in whole or in part are permitted.

[CGFR 69-72, 34 FR 17482, Oct. 29, 1969]

§ 35.01-35 Repairs and alterations to firefighting equipment—TB/ALL.

(a) No extensive repairs or alterations, except in emergency, shall be made to any fire-extinguishing apparatus, or other appliance subject to inspection, without advance notice to the Officer in Charge, Marine Inspection. Such repairs or alterations shall so far as is practicable be made with materials and tested in the manner specified within the regulations in this subchapter and subchapter Q (Specifications) of this chapter for new construction.

(b) Emergency repairs or alterations shall be reported as soon as practicable to the Officer in Charge, Marine Inspection, where the vessel may call after such repairs are made.

§ 35.01-45 Open hopper type barges—B/ALL.

(a) With the exception of those open hopper type barges constructed or modified in conformance with the requirements of subpart 32.63 of this subchapter, the special operating conditions in this section apply to all other open hopper type barges carrying those cargoes listed in Table 30.25-1, of this chapter, which are defined as:

(1) Flammable liquids having a Reid vapor pressure in excess of 25 pounds per square inch, absolute, in independent tanks (part 32 of this subchapter).

(2) Liquefied flammable gases (part 38 of this subchapter).

(b) All open hopper type barges, while carrying in bulk any of the cargoes described in paragraph (a) of this section, shall be operated in conformance with the provisions in this section. However, the provisions in this section are not